

4VAC15-40-285. Game: Deer: Unauthorized Feeding of Cervids.

Summary:

The proposal is to prohibit the feeding of cervids in any county designated by the Department within 25 miles of a confirmed detection of Chronic Wasting Disease.

Proposed language of amendment:

4VAC15-40-285. Unauthorized Feeding of Cervids

A. It shall be unlawful for any person to place or distribute food, salt, minerals, or similar substances to feed or attract cervids (i) at any time in the counties (including the cities and towns within) of Buchanan, ~~Clarke~~, Dickenson, ~~Frederick~~, Shenandoah, ~~Warren~~, and Wise, and in any county designated by the department within 25 miles of a confirmed detection of Chronic Wasting Disease; (ii) during any deer or elk season within any county, city, or town that allows deer or elk hunting; and (iii) from September 1 through the first Saturday in January, both dates inclusive, elsewhere in the Commonwealth.

B. Any food, salt, minerals, or similar substances placed or distributed to feed or attract cervids prior to September 1 must be completely removed by September 1, and any area where food, salt, minerals, or similar substances were placed or distributed to feed or attract cervids shall be considered to be baited for 10 days following the complete removal of the items listed in this subsection.

C. Upon written notification by department personnel, no person shall continue to place or distribute any food, salt, mineral, or similar substances for any purpose if the placement of these materials results in the attraction of and/or feeding of cervids. After such notification, such person shall be in violation of this section if the placing, distribution, or presence of such food, salt, minerals, or similar substances continues.

D. No part of this regulation shall be construed to restrict bona fide agronomic plantings (including wildlife food plots), bona fide distribution of food to livestock, or wildlife management activities conducted or authorized by the department.

Rationale:

Chronic Wasting Disease (CWD) is an infectious disease of cervids that spreads readily through animal-to-animal contact and environmental contamination by the disease agent. Because CWD transmission can be enhanced when deer are concentrated at artificial feeding sites, it is critical to prevent the placement of food, minerals, or salt in an expansive area surrounding an area known to be infected with the disease. Juvenile dispersal is an important mechanism for disease transmission between individuals and populations. Male deer are especially important in spreading CWD due to their extensive interactions with other deer and their long distance movements across landscapes potentially contaminated with CWD prions. It is not uncommon for yearling whitetail bucks to disperse 10-12 miles in fragmented landscapes like those found in Virginia. An appropriately sized buffer zone that extends beyond the average dispersal distance for juveniles is critical to reduce disease transmission across the landscape.

This proposal will expand the current feeding prohibition beyond the current CWD Containment Area in Clark, Frederick, Shenandoah, and Warren counties. The counties of Fauquier, Loudoun, Page, Rappahannock, and Rockingham will be included in a 25-mile buffer zone. In addition, the proposal will be applicable to all future detections of CWD in Virginia and neighboring states. The Department will provide a list of all counties where feeding of cervids is prohibited in the annual hunting digest and on the Department website.